

Hawaiian Gazette.

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TUESDAY : : : OCTOBER 6

OBSTRUCTIONS TO JUSTICE.

It is as true now, as when the maxim originated, it will be true in all ages—that "it is better for ninety-nine guilty men to escape than for one innocent man to suffer."

The decision of one of the Circuit Judges in Honolulu, endorsed by another, that every defendant arrested for a petty offense, within the Fifth Amendment to the Federal Constitution is rendered legally infamous in this Territory, if found guilty and punished, may be good law.

No community wishes to have the punishment of the innocent upon its conscience. But, on the other hand, no American community in these days, is anxious to invent new methods of escape for the guilty.

The highest Federal attorney in this Territory, whose duties embrace the prosecution of parties accused of crime within the Federal jurisdiction, however loyal to his private clients in the Territorial tribunals, cannot be anxious to have immunity guaranteed to misdemeanants, as a class, unless their constitutional infamy is finally and definitely established.

The arguments of eminent judges and of the greatest American lawyers against mob violence or the rapid movements of Judge Lynch are frequent and able just now, and they all turn upon the proposition, underlying the Manchicht decision, that although forms are not to be disregarded, substance is more important, and that mere legal cobwebs, however fine in construction, should be promptly and rudely brushed away by the strong hand of judicial power.

The Macedonians, or whoever of them remain, are tired of the war. A fighting race who tested the strength of Russia twenty-six years ago easily proved too much for the provincial insurgents of the present time.

In tomorrow's Sunday Advertiser Col. Thomas Fitch's great audience will find an interesting narrative of Stumping in California—a subject he is peculiarly qualified to treat.

It is the duty of the scavengers, if they come across the Bulletin trophy among the other tin cans, to take it along. No one knows how many mosquitoes such a thing might harbor, providing it doesn't leak.

PARK IMPROVEMENT.

With all the defects of the tramways service, it yet made thousands of Honolulu people more or less familiar with the benefits of sea bathing at Waikiki, as well as somewhat casually acquainted with the charms of Kapiolani park.

Landscaping alone, however, will not fulfill the ideal of a great public recreating park. There is ample scope, with natural advantages besides, in the reservation for the introduction of features other than those of intrinsic beauty to the eye, and yet which can be introduced with enhancement of the beautiful.

Honolulu ought also, at any cost, to have a public sea-bathing allotment somewhere along the Waikiki beaches. It might be inaugurated and conducted under the auspices of a swimming club open to everybody, with a moderate annual membership fee to provide for running expenses.

Some public experiences come to a city or locality never to return. So far as Honolulu is concerned the annexation boom was one of them. That great inflation was due to a gambler's guess that Honolulu, once in the Union, would be a good place in which to speculate for a year or two.

Booms do not recur, at least not oftener than lightning strikes twice in the same spot. But if a town is good for anything it has something better than a chance of speculation with which to attract men and capital and all the elements of prosperous growth.

The introduction of new trees will be the most important work for the local chief of the forestry division who is to be sent here by Mr. Pinchot.

The President seems to have more mania on his calling list than any other man in the country.

The trip of the Ventura is reported by the officers and passengers to have been particularly pleasant. Games were unusually popular, and after leaving Honolulu a "surprise auction" was held by W. B. Orr, at which various parcels made up for the occasion were auctioned off for the benefit of charitable institutions in this city.

The Moros have formally abolished slavery as an institution but in all likelihood will retain their slaves as property.

A MORAL FROM THE SEA.

To watch from the shore at Waikiki the restless and wrinkled face of the ocean, on a calm evening, when the new moon spreads a film of dazzling light upon its moving surface that also filters through the bordering verdure, fills the receptive soul with thrills of supernatural beauty.

Who can hear the diversified voices of the sea, the melody of its superficial tones, the bursting harmonies from beneath the waves, the resounding symphonies from its depths—without receiving the vibrating impressions of gentleness and sympathy such as the heart of man has never conceived, of perfect combinations in which creation itself becomes articulate, of power compared to which the intricate inventions and adaptations of human genius are weak and nervous.

All these scenes and sounds, all these suggestions and inspirations, produced for the use of man and richly contributing to his bodily sustenance, curbed and held in the grasp of Omnipotence, and with all its differing powers and functions, exercised from its sunken valleys to its submerged peaks, a segment of the original design that is imprinted on the universe in imperishable lines and colors.

It is the cruel sea, the bitter sea, the bolsterous sea, the remorseless sea, the yearning sea, the tender sea, as in their contradictory moods, in their separated abodes and in the alternations of seasons and of conditions, it has been depicted by the poets; and yet, the changeless sea that proves and illustrates eternal and varying law, and teaches the philosophy of the ages to the fluctuating and disturbed inhabitants of the land.

Forester Hall's recommendations deal not only with questions of forest reservation and forest protection, but also with the necessity for replacing some of the unprofitable trees of Hawaii with those which are commercially valuable.

The obia lehua, which comprises a large part of the island forests, is of little value. In Mr. Hall's opinion commercial woods should be substituted, and although the process will be a long one it will without doubt pay in the end.

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LOCAL BREVITIES.

(From Saturday's Daily.)

Robert W. Shingle went to Kona, Hawaii, yesterday.

Another conference on the Kohala ditch matter will be held in Governor Doie's office this morning.

Miss Alice F. Beard, the founder of the Kona Orphanage, returned from the Coast in the Alameda.

St. B. Rose, secretary of Wilder's Steamship Company, will leave for the Coast on a vacation trip in the Sierra on the 12th inst.

Chalmers Graham, grown even more portly than when he lived here, arrived from San Francisco yesterday for a short business visit.

There have been no new developments in the case of the Japanese woman whose body was found on the beach at Waikiki.

The custom house received official instructions from Washington yesterday that no person coping from the Philippine Islands is subject to head tax.

E. M. Boyd, secretary of the Hawaiian Promotion Committee, has placed the contract for printing advertising folders with an establishment in San Francisco.

Ozumi, the Japanese who murdered his former wife at Kahana a few days ago, and then attempted suicide, was brought to Honolulu by Deputy Sheriff Lane yesterday afternoon.

Will E. Fisher has taken out an auctioneer's license and opened a place of business in Merchant, near Alakea street.

Hustace & Co., Ltd., has not yet concluded its purpose of selling out, or merging with Peck & Co., Ltd.

There will be no more public band concerts until Monday the 26th inst., when the Territorial band will break its vacation by a morning concert at the Capitol grounds.

Two farmers from the mainland went to the island of Hawaii this week, supplied with maps and directions by Commissioner E. S. Boyd, to look at lands with intent of taking up farms if conditions are inviting.

The Church in Hawaii will lose and the Church in California will gain two devoted members by the departure of Mr. and Mrs. Benjamin Allen.

A native woman reported to the police yesterday that she had seen the Chinese highwayman a few minutes after he shot Oda. He was then changing his clothes.

The regular quarterly meeting of the Merchants' Association will be held some day this week.

George Thielen, stenographer for the land court, will not assume his duties until the first of next month.

Prominent Japanese in the city have received letters of thanks from the parents of Tanbara Gisaburo, the Japanese murderer of Captain Jacobsen of the schooner Fred J. Wood.

Letters from Ellis Lando, Hawaii's representative at the Annapolis naval academy, tell of his success in making up the classes in which he was behind, owing to his late arrival.

ORDER AS TO SUGAR.

Collector Stackable Hears of Dingley Law.

Acting Collector Stackable has received from Secretary Shaw the following circular in regard to the identification of imported sugars subject to countervailing duties under the provisions of the Dingley law:

"I. All entries of sugar hereafter imported into the United States shall be accompanied by a certificate of origin stating (A) when the sugar was produced, the country of origin or production and the country of destination of the merchandise; (B) the kind and quantity of the sugar; (C) the kind, number and marks of the packages and (D) the manner and means of transportation, by land or water.

"II. Where the country of origin is not a party to the Brussels sugar convention of March 5, 1902, the certificate shall state, in addition to the foregoing particulars, that the merchandise was not obtained from a factory or refinery working or handling sugars from any country-paying country.

"III. The certificate shall be signed and issued by the proper government official having jurisdiction in the country of production, and such certificate shall be certified by the proper United States consular officer.

"IV. No certificate shall be deemed valid after the expiration of twelve months from the date of issue, or after the expiration of such less time as may be limited in the certificate by the issuing authority.

"V. In the absence of such certificate, liquidation of the entry shall be suspended and countervailing duties estimated in an amount equal to the highest export bounty or grant paid or bestowed by any country, both directly and indirectly, on the exportation of similar merchandise."

CHINESE FOOTPAD'S VICTIM IS DEAD.

Oda, the second Japanese to be assaulted by the Chinese highwayman on the Moanalua road, died from his wounds Saturday about midnight at the Japanese hospital on Liliha street.

No trace of the highwayman has yet been found.

DEATH OF MRS. WM. H. GULICK.

DIED, Sept. 14, at the home of Lady Henry Somerset, near London, Mrs. Alice Gordon Gulick, wife of Rev. Wm. H. Gulick, missionary to Spain.

Mrs. Alice Gordon Gulick, wife of the Rev. W. H. Gulick, was the founder and head of the International Institute for Girls at Madrid.

ANOTHER ATTACK UPON COUNTY ACT.

It is rumored that the County Act is to be attacked in the courts on the ground that the board of supervisors is an illegal body, in that the Organic Act puts the appointment of all boards of a public character, besides those mentioned therein, in the hands of the Governor by and with the consent of the Senate.

The point is the same—though its application may prove to be quite different—as that which Judge Greg sustained, now pending on appeal in the Supreme Court, with regard to the board of public institutions created by the County Act.

Mr. Lewis of the Hawaiian Stock Yards, has purchased the original stage line and mail contract on this popular route and from today will make regular trips daily over this route.

Peculiar To Itself

In what it is and what it does—containing the best blood-purifying, alterative and tonic substances and effecting the most radical and permanent cures of all humors and all eruptions, relieving weak, tired, languid feelings, and building up the whole system—is true only of Hood's Sarsaparilla

No other medicine acts like it; no other medicine has done so much real, substantial good, no other medicine has restored health and strength at so little cost.

"I was troubled with scrofula and came near losing my eyesight. For four months I could not see to do anything. After taking two bottles of Hood's Sarsaparilla I could see as well as ever." S. A. HANSTON, Withers, N. C.

Hood's Sarsaparilla promises to cure and keeps the promise.

BUSINESS CARDS.

H. HACKFELD & CO., LTD.—General Commission Agents, Queen St., Honolulu, H. I.

F. A. SCHAEFER & CO.—Importers and Commission Merchants, Honolulu, Hawaiian Islands.

LEWERS & COOKE.—(Robert Lewers, F. J. Lowrey, C. M. Cooke.)—Importers and dealers in lumber and building materials. Office, 414 Fort St.

HONOLULU IRON WORKS CO.—Manufacturers of every description made to order.

HONOLULU STOCK EXCHANGE.

Honolulu, October 5, 1903.

Table with columns: NAME OF STOCK, Capital, Val, Bid, Ask. Includes Mercantile, Sugar, and Steamship Co's.

METEOROLOGICAL RECORD.

By the Government Survey, Published Every Monday.

Table with columns: Day, Barom, Therm, Wind, Force. Shows weather data for Sept 29 to Oct 4.

* NE-ENE. ** ENE-NE. Barometer corrected to 32 F. and sea level, and for standard gravity of 9.80665. This correction is—06 for Honolulu.

TIDES, SUN AND MOON.

Full moon Oct. 6th at 4:52 a. m. Times of the tide are taken from the United States Coast and Geodetic Survey tables.